

SOUTH TAHOE GREENWAY SHARED USE TRAIL PROJECT PHASE 1b AND 2

Recommended Action: Adopt Resolution 18-03-03 (Attachment 1) authorizing the California Tahoe Conservancy (Conservancy) staff to:

- enter into a memorandum of understanding (MOU) with El Dorado County to transfer South Tahoe Greenway Shared Use Trail Project Phase 1b and 2 (Project) implementation responsibilities to El Dorado County;
- award up to \$3,182,000 for a site improvement grant to El Dorado County; and
- execute or modify all other agreements as necessary to transfer implementation of the Project, including but not limited to license agreements or MOUs with El Dorado County, the City of South Lake Tahoe, and the Lake Tahoe Community College District (District).

Location: The Project is located on the south shore of Lake Tahoe within both unincorporated El Dorado County and the City of South Lake Tahoe, between Sierra Boulevard and Glenwood Way (Attachment 2).

Fiscal Summary: The Conservancy would provide through a grant to El Dorado County a total of up to \$2,532,000 of Proposition 12 funding, contingent on inclusion of Project funding in the 2018 Budget Act, and \$650,000 of District Measure F funding. The California Department of Transportation and the Tahoe Transportation District will provide additional Project funding, in the amounts of \$1,928,000 and \$390,000, respectively, directly to El Dorado County.

Overview

Description of Recommended Action

The California Tahoe Conservancy (Conservancy) staff is recommending a new approach for the South Tahoe Greenway Shared Use Trail Project Phase 1b and 2 (Project) that involves transferring Project implementation responsibilities from the State to El Dorado County. El Dorado County is in an advantageous position to deliver the Project, and has indicated that it can complete the Project in a timely manner and

with a cost savings of at least \$1,000,000. The recommended Project transition will empower an experienced local government partner while ensuring successful Project delivery to benefit the public.

Staff is requesting authorization to enter into a memorandum of understanding (MOU) with El Dorado County, which assigns Project roles under the proposed transition. This MOU transfers Project delivery responsibilities from the Conservancy to El Dorado County. The MOU also commits the Conservancy to providing right of way (ROW) for the Project and granting \$3,182,000 in funding to complete the Project, contingent on inclusion of Project funding in the 2018 Budget Act. Staff intends to enter into the MOU with El Dorado County in March 2018, because the California Department of Transportation (Caltrans) needs the MOU to support the California Transportation Commission's approval of the Project transition and to allocate Active Transportation Program (ATP) funding directly to El Dorado County.

Staff recommends the Board authorize up to \$3,182,000 for a site improvement grant to El Dorado County for the Project. The recommended grant includes \$650,000 in Measure F funds from the Lake Tahoe Community College District (District), which the District is granting to the Conservancy. The remaining \$2,532,000 will come from Conservancy bond funding. Staff intends to enter into a grant agreement with El Dorado County in July 2018, contingent on inclusion of Project funding in the 2018 Budget Act.

Staff is also seeking Board authorization to execute or modify all other agreements as necessary to transfer implementation of the Project. Project partners, including the City of South Lake Tahoe (City) and the District, have negotiated a series of land use agreements to facilitate the Project, and staff is working closely with these partners to ensure an effective transition of responsibilities. Staff will enter into a license agreement with El Dorado County in 2018 to provide them with access rights to construct the Project.

In March 2017, the Board authorized staff to enter into a "master" MOU with the City and the District. This "master" MOU agreement defines roles and responsibilities for maintenance, land management, and coordination of all phases of the approved South Tahoe Greenway Shared Use Trail (Greenway). The Conservancy, City, and District may wish to modify this "master" MOU in the future to add parties and clarify maintenance or other responsibilities, as necessary.

History

The Greenway is a 3.86-mile trail connection between the Tahoe Sierra (formerly “Sierra Tract”) neighborhood and Van Sickle Bi-State Park. The trail alignment generally follows the ROW originally obtained by Caltrans to build a bypass freeway.

The Greenway is broken into construction segments, given limited funding and other issues associated with acquiring easements along certain segments of the trail. To date, the Board has authorized \$2,662,000 for planning, preliminary designs, and acquisitions for the entire Greenway, and final design and construction of the first section of the Greenway (Phase 1a). The Conservancy and the Department of General Services (DGS) completed construction of Phase 1a in October 2015, providing a 0.42-mile neighborhood connection between Glenwood Way and Herbert Avenue.

The Project extends the shared use trail for about a mile from the terminus of Phase 1a at Glenwood Way to Sierra Boulevard. Together with Phase 1a and a previously completed trail by the community ballfields, the Project will provide almost two miles of continuous shared use trails in the heart of South Lake Tahoe. The Project includes a new bridge over Trout Creek, improved local street crossings, interpretive and wayfinding signage, and significant sections of raised boardwalk to protect sensitive stream environment zone.

In 2014 and 2016, the Board approved several items related to implementation of the Project, including \$1,000,000 for final design and construction of the Project. These actions also included adoption of California Environmental Quality Act (CEQA) documents for a trail realignment of Phase 2 near Trout Creek to reduce disturbance in environmentally sensitive areas, provide a more direct trail connection, and facilitate partner funding. In January 2017 and March 2017, the Board authorized additional items related to implementation of the Project including agreements for implementation, operation and maintenance, and funding for trail maintenance.

In December 2017, staff informed the Board that several significant challenges jeopardized Project delivery. Project costs rose dramatically due to the thriving economy, limited supply of skilled contractors, and damaging winter of 2017. In addition, DGS procurement and contracting procedures do not meet the specific and complex Caltrans ATP funding requirements. Resolving the inconsistency between DGS and Caltrans procedures would require significant time and resources, further adding to Project costs. To investigate potential solutions to these challenges, staff began discussions with El Dorado County to gauge their interest in leading Project implementation.

El Dorado County has indicated a willingness to assume the leadership role for implementing the Project, and this transition will benefit the public for several reasons. El Dorado County has an intimate understanding of the local community's needs, as it has recently constructed several complex and similar bike trails within sensitive environments. The County has experience working with Caltrans to implement ATP grants, and its processes are all compliant with ATP requirements. El Dorado County provides extensive in-house design and construction oversight expertise, so is uniquely qualified to efficiently deliver the Project. Because of these reasons, El Dorado County has indicated it can deliver the Project in a timely fashion with over \$1,000,000 in cost savings. Staff has consulted with DGS, Department of Finance, and Caltrans about this transition, and all concur regarding the advantages of El Dorado County taking over Project leadership.

Financing

Staff is recommending a grant award of \$3,182,000 to El Dorado County for final design, permitting, and construction of the Project. This grant total includes \$650,000 in funding from the District and \$1,000,000 that the Board authorized in 2014. Staff is therefore recommending award of \$1,532,000 in previously unauthorized Conservancy funding, which is necessary because Project costs have risen from approximately \$4,000,000 to \$5,500,000.

The Project funding shown below from Caltrans (\$1,928,000) and Tahoe Transportation District (\$390,000) is not part of the recommended grant authorization because those entities will provide the funding directly to El Dorado County. Staff will continue to work with other partners to pursue additional funding for the Project, which if secured, would reduce the Conservancy's contributions under the recommended grant.

Project Budget

California Tahoe Conservancy	\$2,532,000
Lake Tahoe Community College District	\$650,000
Caltrans ATP	\$1,928,000
Tahoe Transportation District (CMAQ*)	\$390,000
Total	\$5,500,000

*Congestion Mitigation and Air Quality

Proposed Grant Budget

Staff recommends the grant budget as shown below. The budget may be adjusted between line items, but total expenditures under this grant will not exceed \$3,182,000.

Plans/ specs/ estimate	\$150,000
Construction Management	\$600,000
Direct Construction	\$1,959,000
Monitoring	\$15,000
Contingency (8% of total project)	\$458,000
Total	<u>\$3,182,000</u>

Authority

Consistency with the Conservancy's Enabling Legislation

Implementation of this project is consistent with the Conservancy's enabling legislation. Specifically, Government Code section 66907.7 authorizes the Conservancy to award grants to local public agencies for purposes consistent with its mission. Government Code section 66907.8 authorizes the Conservancy to transfer any real property interest, including through license agreements, to fulfill its mission and promote the State's planning priorities. Government Code section 66907.9 authorizes the Conservancy to initiate, negotiate, and participate in agreements for the management of land under its ownership or control with public agencies or other entities. Government Code section 66908 authorizes the Conservancy to receive grants and other funds from public agencies.

Consistency with the Conservancy's Strategic Plan

The recommended action is consistent with the Strategic Plan because the Project contributes to a more walkable and bike-friendly community (Strategy I.A). The recommended action is also consistent with the Strategic Plan because it would invest in a high priority conservation Environmental Improvement Program (EIP) project (Strategy II). Once implemented, the Project will provide a quality recreation and public access facility that reduces traffic congestion (Strategy II.D.).

Consistency with the Conservancy's Program Guidelines

The recommended action is consistent with the Conservancy's Public Access and Recreation Program Guidelines (2009). The Project increases regionally significant public access and recreational opportunities by implementing a portion of the Lake

Tahoe Bikeway. It will cross barriers and close gaps in the bicycle network to form the major north/south connection in South Lake Tahoe.

Consistency with External Authorities

The recommended action is consistent with the EIP because it facilitates the implementation of EIP project #03.01.02.0087. It also facilitates implementation of Linking Tahoe: Regional Transportation Plan/Sustainable Communities Strategy (2017).

Compliance with the California Environmental Quality Act

On September 15, 2011, the Board adopted the South Tahoe Greenway Shared Use Trail Mitigated Negative Declaration (MND) and Mitigation Monitoring Reporting Program to comply with CEQA. The Board also approved two additional project implementation phases under the 2011 MND: Greenway Phase 1a Project (June 2013), and Greenway Phase 1 and 2 Project (May 2014). On March 17, 2016, the Board adopted an MND supplement that evaluated trail modifications and the proposed land exchange between the Conservancy, the District, and the City for the Greenway Phase 1b and 2 Project.

All potential environmental effects of the current recommended action have been previously analyzed in the MND and the MND supplement. The shift in Project implementation responsibilities to El Dorado County is not a substantial change in the Project, nor will result in any new significant effects.

List of Attachments

Attachment 1 – Resolution 18-03-03

Attachment 2 – Project Map

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